CDR 2/11/20 ✓

Wetlands Applications Decision Report

Decisions Taken
02/03/2020 to 02/09/2020

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

Any party aggrieved by a decision may file an appeal within 30 days of the date of this decision as specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Wetlands Council, Env-WtC 100-200.

The appeal must be filed directly with the Council, c/o the Council Appeals Clerk, who may be contacted at (603) 271-6072 or atappeals@des.nh.gov. The notice of appeal must set forth fully every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the council.

MAJOR IMPACT PROJECT
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2018-00854 **EVANS FAMILY LIMITED PARTNERSHIP**

LONDONDERRY Unnamed Wetland

Requested Action:

Dredge and fill an additional 2,915 square feet (SF) of forested wetland to provide construction access.

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Conservation Commission/Staff Comments:
3/30/18 Con. Com. requested a 40 day hold on this application.

APPROVE AMENDMENT
Dredge and fill 29,375 square feet (SF) within palustrine forested wetlands and within an intermittent stream (Tier 1, impacting 75 linear feet) install a 24-inch diameter by 75-foot long RCP culvert, construct industrial building, and associated parking. Temporarily impact approximately 3,315 SF of palustrine forested wetland for temporary erosion controls and construction access. Compensatory mitigation for permanent wetland impacts consists of a deed restriction as on 21.81 acres of undeveloped land.

With Conditions:
1. All work shall be in accordance with revised plans titled Site Preparation Plan, 14 Page Road & 280 Rockingham Road, Londonderry, New Hampshire prepared by Hayner Swanson, Inc. (HSI) for Evans Family Partnership dated April 21, 2019 and amended on January 20, 2020, as received by the New Hampshire Department of Environmental Services (NHDES) on January 24, 2020.
2. This permit is contingent on submittal of a deed indicating the Lot Merger for Map 17 Lots 45 and 45-4 as shown on the revised Site Preparation Plan dated April 21, 2019.
3. This permit is not valid unless an Alteration of Terrain permit or other method of compliance with RSA 485-A:17 and Env-Wq 1500 is achieved.
4. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. This permit is not valid unless compliance with RSA 485-A:29-44 and Env-Wq 1000 is achieved.
6. Personnel on the job site shall be made aware of the potential to encounter Blanding's Turtle and Smooth Green Snake in the work area. Information flyers shall be distributed to all on site contractors. If Blanding's Turtles are found laying eggs in a work area, please contact Melissa Doperalski at 271-1738 or Josh Megyesy at 271-1125 for further instructions.
7. The use of welded plastic or 'biodegradable plastic' netting or thread in erosion control matting shall be avoided at the work site. The use of erosion control berm, Filtrexx or equal filter sock, or several 'wildlife friendly' options such as woven organic material (e.g. coco or jute matting such as North American Green SC150BN or equivalent) are commercially available.
8. Catch basins placed along the outside of the developed areas in grassed or graveled areas should be daylighted or eliminated to avoid entrapment of protected wildlife.
9. Work shall be done during low flow.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place until the area is stabilized.
11. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
12. The Contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of

the disturbance.
14. The permittee/permittee's contractor shall regrade temporary impacts to pre-construction conditions and plant native species similar to those within the wetland prior to impact.
15. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Oriental Bittersweet, Purple Loosestrife, Knotweed, or Common Reed. The contractor responsible for work shall appropriately address invasive species in accordance with the NH Department of Transportation Best Management Practices for the Control of Invasive and Noxious Plant Species (2018).
16. Discharge from dewatering of work areas shall be to sediment basins that are:
a) located in uplands;
b) lined with hay bales or other acceptable sediment trapping liners;
c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 ft. of undisturbed vegetated buffer.
17. Dredged material shall be placed outside of the jurisdiction of the NHDES Wetlands Bureau.
18. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
19. Faulty equipment shall be repaired prior to entering jurisdictional areas.
20. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
21. All refueling of equipment shall occur outside of surface waters or wetlands.
22. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
23. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
24. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the NHDES Wetlands Program within 60 days of final site stabilization.
25. The deed restriction to be placed on the preservation areas shall be written to run with the land, and both existing and all future property owners shall be subject to these restrictions.
26. The plan noting the deed restriction with a copy of the final restrictive language shall be recorded with the Registry of Deeds for each lot that is subject to the deed restrictions. The permittee shall submit a copy of the recording from the Rockingham County Registry of Deeds to the NHDES Wetlands Program prior to the start of construction.
27. The deed restriction area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction. If this survey determines the parcel is less than the size represented in the application, the permittee shall submit the completed survey to NHDES for review. As a result of this review NHDES may require additional mitigation adjustments after coordination with the appropriate Conservation Commission(s), and State and Federal Agencies.
28. The permittee/permittee's contractor shall notify the NHDES Wetlands Program when the monuments marking the deed restriction area are placed, and coordinate an on-site review of their location prior to construction.
29. There shall be no placement of fill, construction of structures, or storage of vehicles or hazardous materials on the conservation parcel.
30. Activities in contravention of the conservation restrictions shall be deemed to be a violation of RSA 482-A, and shall be subject to enforcement under RSA 482-A.

With Findings:
1. This is a Major impact project per 303.02(c), Projects that involve alteration of non-tidal wetlands, non-tidal surface waters, and banks adjacent to non-tidal surface waters in excess of 20,000 square feet (SF) in the aggregate.
2. Wetland impacts are proposed for development of the site to locate the proposed 306,000 SF industrial building, associated site access, and parking area construction. Wetland impacts along Page Road (Wetland #1) are proposed for site access at the safest location without encroaching on any residential abutters and access along State Route 28 is not an option. Impacts at Wetland #2 are for access. Initial proposed impacts were reduced to eliminate impacts for the stormwater treatment system. Wetlands 3 and 4 are located within the proposed building footprint.
3. There are five permanent wetland impact areas and two temporary impact areas. The permanent impact areas include area #1-11,350 SF, #2-7,975 SF, #3-2,275 SF, #4-800 SF, #5-6,576 SF; the temporary impact areas include area #6-400 SF and #7-2,915 SF.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. Wetland impacts have been decreased from the original proposed 38,175 SF to 29,375 SF. The building footprint has been reduced by 23% and the estimated total impervious surface area has been reduced by 20%. Impacts associated with stormwater treatment in wetlands have been removed. The addition of temporary impact area #7 by permit amendment increased the overall impact area by 10%.
5. The applicant's agent has provided a Wetland Function and Value Assessment Report dated January 31, 2018 and determined the principal wetland functions are flood flow, sediment, nutrients, and wildlife and were not considered unique in

the Town or the State.
6. The project wetland scientist has reviewed the six isolated wetland areas and determined there is one vernal pool located at Wetland #3 per vernal pool study report dated January 15, 2019.
7. The New Hampshire Natural Heritage Bureau, Department of Natural and Cultural Resources-Forests and Lands has confirmed there are no rare plants onsite per email dated August 23, 2018.
8. The NHFG Nongame and Endangered Species Program is satisfied that efforts have been taken to minimize impacts to the Blanding's Turtle, New England Cottontail, and Smooth Green Snake located on the east side of 280 Rockingham Road and the south side of 14 Page Road in Londonderry per email dated October 24, 2018.
9. The New Hampshire Division of Historical Resources, State Preservation Office has confirmed there are No Historic Properties Affected per review letter issued on March 22, 2018.
10. The applicant's agent has confirmed that the proposed 24-inch RCP culvert has been sized to accommodate the 50-year frequency flood at the crossing location (Tier 1) per the project engineer.
11. Wetland Impact Area #3 was confirmed to be a Vernal Pool. The applicant is coordinating with NHFG to transport vernal pool species from the wetland impact #3 vernal pool to a location within the proposed conservation area.
12. Compensatory mitigation for permanent wetland impacts consists of a deed restriction as described in the 'Declaration of Covenants and Conservation Restrictions and Grant of Access Easement' on 21.81 acres as depicted on the plans prepared by S&H Land Services, LLC dated June 19, 2019 and received by NHDES on July 22, 2019.
13. Any significant changes to the proposed wetland impacts will require a permit amendment.
14. The wetland permit application was received by the Department on April 2, 2018. A Request for More Information was issued by the Department on May 11, 2018. Six Time Extension Agreements have been issued in order to allow additional time for the applicant to provide response to the NHDES Request for More Information. The complete response to the Request for More Information was received by NHDES on July 18, 2019.

2018-03477 **OSSIPEE AGGREGATES CORP**

OSSIPEE FRENCHMAN BROOK

Requested Action:

Dredge and fill 1,575 square feet (SF) within the bed and bank of Frenchman's Brook (Tier 3, impacting 180 linear feet (LF)) to replace the existing 6 foot diameter by 40 foot long culvert with a 4 foot tall, 10 foot wide, 60 foot long partially-embedded box culvert, with two 4 foot diameter floodplain culverts that are 60 foot and 80 foot long, respectively. In addition, temporarily impact 1,840 SF within the bed and bank of Frenchman's Brook (Tier 3, impacting 120 LF) for access and sedimentation and erosion control during construction.

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Conservation Commission/Staff Comments:
No ConComm comemnts by 11/25.

Inspection Date: 12/11/2018 by SETA A DETZEL

APPROVE PERMIT
Dredge and fill 1,575 square feet (SF) within the bed and bank of Frenchman's Brook (Tier 3, impacting 180 linear feet (LF)) to replace the existing 6 foot diameter by 40 foot long culvert with a 4 foot tall, 10 foot wide, 60 foot long partially-embedded box culvert, with two 4 foot diameter floodplain culverts that are 60 foot and 80 foot long, respectively. In addition, temporarily impact 1,840 SF within the bed and bank of Frenchman's Brook (Tier 3, impacting 120 LF) for access and sedimentation and erosion control during construction.

With Conditions:
1. All work shall be in accordance with plans by Rokeh Consulting, LLC dated August 16, 2019 and revised on January 6, 2020, received by the NHDES on January 22, 2020.
2. Not less than five (5) state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Bureau and the local conservation commission in writing of the date on which work under this permit is

expected to start.
3. Work within the river, inclusive of work associated with installation of a cofferdam or turbidity curtain, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events. All in-stream work shall be conducted in a manner that will not cause or contribute to any violations of surface water quality standards in RSA 485-A or NH Code Admin. Rules Env-Wq 1700.
4. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized. Erosion control products shall be installed per manufacturers recommended specifications.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A.
8. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation should be replanted with seedlings of like native species and seeded with a conservation mix and mulched within three (3) days of the completion of the disturbance.
9. No machinery shall enter the water.
10. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
11. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
12. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
13. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
14. The turbidity controls shall be entirely removed within 2 days after work within the controls is completed and water has returned to normal clarity.
15. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Common Reed. The contractor responsible for work shall appropriately address invasive species in accordance with the NH Department of Transportation Best Management Practices for Roadside Invasive Plants (2008).
16. To prevent the introduction of invasive plant species to the site, the permittee's contractor(s) shall clean all soils and vegetation from construction equipment and matting before such equipment is moved to the site. Restoration shall not be considered successful if sites are invaded by nuisance species during the first full growing season following the completion of construction. The permittee shall submit a remediation plan to NHDES that proposes measures to be taken to eradicate nuisance species.
17. Only native plant species shall be used to revegetate the riverbank.
18. A Certified Wetlands Scientist or Qualified Professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the NHDES Wetlands Bureau within 60 days of final site stabilization.

With Findings:
1. This is a Major Project per NH Administrative Rule Env-Wt 903.01(g)(1), as the project is a replacement of a Tier 3 stream crossing.
2. The project comprises replacement of the existing 6 foot diameter by 40 foot long culvert with a 4 foot tall, 10 foot wide, 60 foot long partially-embedded box culvert, with two 4 foot diameter floodplain culverts that are 60 foot and 80 foot long, respectively. This crossing was damaged in 2018, and emergency repairs were authorized by NHDES on November 16, 2018.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03 as they will only impact the river channel and bank to the degree necessary.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The project will improve hydraulic and aquatic organism passage of the stream crossing to meet Rule Env-Wt 904.01 criteria to the greatest degree practicable, improves geomorphic compatibility from 11% to 50%, and, for these reasons, is considered a self-mitigating alternative design.
5. The Town of Ossipee Conservation Commission, the abutters, and the public provided no comments regarding the project.
6. In a review letter dated September 19, 2019, the NH Department of Transportation Cultural Resources program stated

that "no historic properties will be affected.".
7. In a review letter dated May 14, 2019, the NH Natural Heritage Bureau (NHB) stated that there are three sensitive natural communities and two recorded occurrences of sensitive species in the vicinity of the proposed project. Between October 12 and 16, 2019, NHB personnel corresponded with the agent and resolved potential issues, concluding "NHB has no concerns about the project."

2019-02976 **LINDA CONFORTI-BROWN REVOCABLE TRUST**

DURHAM OYSTER RIVER

Requested Action:

Impact a total of 990 square feet including 80 square feet of permanent impact to the previously developed upland tidal buffer zone and 910 square feet of permanent impact to tidal wetlands, to construct a new tidal docking structure. The new structure consists of a 4 foot by 20 foot access way connecting to a 4 foot by 140 foot fixed pier connecting to a 3 foot by 50 foot ramp connecting to a 10 foot by 20 foot float. The overall structure length seaward of the highest observable tide line is 210 feet, providing one slip on 305 feet of frontage along the Oyster River.

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Inspection Date: 09/25/2019 by STEFANIE M GIALLONGO

APPROVE PERMIT
Impact a total of 990 square feet including 80 square feet of permanent impact to the previously developed upland tidal buffer zone and 910 square feet of permanent impact to tidal wetlands, to construct a new tidal docking structure. The new structure consists of a 4 foot by 20 foot access way connecting to a 4 foot by 140 foot fixed pier connecting to a 3 foot by 50 foot ramp connecting to a 10 foot by 20 foot float. The overall structure length seaward of the highest observable tide line is 210 feet, providing one slip on 305 feet of frontage along the Oyster River.

With Conditions:
1. All work shall be in accordance with plans by Olcott Planning & Design, LLC dated May 28, 2019, revised through November 30, 2019, last received by the NH Department of Environmental Services (NHDES) on January 07, 2020.
2. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Bureau (Stefanie.Giallongo@des.nh.gov) and the local conservation commission in writing of the date on which work under this permit is expected to start.
3. This permit shall not be effective until it is recorded at the Strafford County Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the NHDES Wetlands Bureau prior to construction.
4. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the NHDES Wetlands Bureau.
5. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and New Hampshire Administrative Rule Env-Wq 1700.
6. This tidal docking structure consisting of a 4 foot by 20 foot access way connecting to a 4 foot by 140 foot fixed pier connecting to a 3 foot by 50 foot ramp connecting to a 10 foot by 20 foot float, with an overall structure length seaward of the highest observable tide line of 210 feet, providing one slip on 305 feet of frontage on the Oyster River, and shall be the only docking structure on this water frontage.
7. There shall be no removal of mature trees along the shoreline of the river on this property associated with the construction of the dock and access way.
8. Construction of the dock shall occur from a barge equipped with a crane, at low tide, to reduce potential impacts to the river bank and the estuarine intertidal and subtidal wetlands.
9. Pile driving shall be done during low tide to the maximum extent practicable.
10. Decking shall be a minimum of 4 feet above the mud and have at least 3/4-inch spacing between the decking planks to provide sufficient sunlight penetration and rainfall to underlying vegetation.
11. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
12. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.

13. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
14. The seasonal structures, including but not limited to the ramp and float, shall be removed during the non-boating season and stored on the existing pier or in an upland location.
15. All construction-related debris shall be properly disposed of outside of the areas subject to RSA 482-A.
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:
1. This is a Major Project per New Hampshire Administrative Rule Env-Wt 303.04(a), projects located tidal wetlands, except for repair of existing structures.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the NHDES' jurisdiction per New Hampshire Administrative Rule Env-Wt 302.03.
3. Potential alternate locations for the structure would result in greater adverse environmental impact due to significant tree clearing, grading and stream/drainage crossing in order to access that portion of the frontage. As approved, the structure will be accessed through a previously-disturbed area.
4. The proposed dock is the minimum length necessary to provide access at this location for the majority of the tidal cycle and designed in such a way as to prevent the float from sitting on the mud at low tide.
5. The decking of the proposed dock will have a minimum of 3/4-inch spacing between the decking planks and the bottom of the pier will be a minimum of 4 feet above the substrate to provide adequate ambient light levels to support the underlying salt marsh community.
6. The permittee's contractor will be utilizing a barge and crane to complete construction of the dock from the water to minimize impacts to the tidal wetland resource.
7. The applicant has demonstrated by plan and example that each factor listed in New Hampshire Administrative Rule Env-Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project.
8. In correspondence received by the NHDES on January 07, 2020, the applicant's agent requested a waiver from the NHDES to New Hampshire Administrative Rule Env-Wt 301.01(g)(1), Delineation of Wetland Boundaries (requiring stamped plans for major projects).
9. The highest observable tide line and tidal wetland areas were delineated in accordance with the 1987 Army Corps of Engineers Wetland Delineation Manual, also based on visual indicators (i.e., waterline and flotsam line along the embankment) in combination with the surveyed elevation data.
10. In accordance with New Hampshire Administrative Rule Env-Wt 204.04, Criteria, a waiver will be granted if the project will not have an adverse impact to the environment or natural resources of the state, public health, or public safety, and the strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.
11. The Natural Heritage Bureau (NHB) report submitted with the application package (NHB19-2656) stated that although there was a NHB record present in the vicinity, no impact is expected as a result of the project.
12. In correspondence dated August 21, 2019, signed authorization was provided by the applicant to allow their agent to act on their behalf throughout the permitting process.
13. In correspondence dated September 26, 2019, the NH Division of Historical Resources found that there would be no adverse effect on historic properties by the proposed project.
14. The NHDES staff field inspection on September 25, 2019 found that the site is accurately represented in the application.
15. In correspondence dated September 25, 2019, the Pease Development Authority, Division of Ports and Harbors, determined that the project would have no negative effect on navigation in the channel.
16. In accordance with RSA 482-A:8, the NHDES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the estuarine resource, as identified under RSA 482-A:1.
17. On November 01, 2019, the NHDES approved a permit on the same property (2019-02428) to impact 1,280 square feet within the previously-developed upland tidal buffer zone to install a patio area leading to a stone pathway with stone steps leading to a mulch pathway to a future fixed-pier docking structure.
-Send to Governor and Executive Council-

2019-03133 **NH DEPT OF TRANSPORTATION**

WOODSTOCK EASTMAN BROOK

Requested Action:

Temporarily impact 18,356 square feet (SF) within the bed and bank of Eastman Brook (Tier 3, impacting 630 linear feet (LF)) for access and installation of sedimentation and erosion controls during repair.

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Conservation Commission/Staff Comments:
No ConComm response by 11/20.

APPROVE PERMIT
Temporarily impact 18,356 square feet (SF) within the bed and bank of Eastman Brook (Tier 3, impacting 630 linear feet (LF)) for access and installation of sedimentation and erosion controls during repair.

With Conditions:
1. All work shall be in accordance with plans by NH Department of Transportation dated May 30, 2019 and revised subsequently (revision undated), received by the NHDES on January 10, 2020.
2. Not less than five (5) state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Bureau and the local conservation commission in writing of the date on which work under this permit is expected to start.
3. All in-stream work shall be conducted in a manner that will not cause or contribute to any violations of surface water quality standards in RSA 485-A or NH Code Admin. Rules Env-Wq 1700.
4. Work within the river, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.
The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized. Erosion control products shall be installed per manufacturers recommended specifications.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A.
8. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation should be replanted with seedlings of like native species and seeded with a conservation mix and mulched within three (3) days of the completion of the disturbance.
9. No machinery shall enter the water.
10. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
11. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
12. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
13. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
14. The turbidity controls shall be entirely removed within 2 days after work within the controls is completed and water has returned to normal clarity.
15. The permittee/permittee's contractor shall regrade temporary impacts to pre-construction conditions and plant native species similar to those within the wetland prior to impact. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Common Reed. The contractor responsible for work shall appropriately address invasive species in accordance with the NH Department of Transportation Best Management Practices for Roadside Invasive Plants (2008).
16. To prevent the introduction of invasive plant species to the site, the permittee's contractor(s) shall clean all soils and vegetation from construction equipment and matting before such equipment is moved to the site. Restoration shall not be considered successful if sites are invaded by nuisance species during the first full growing season following the completion of construction. The permittee shall submit a remediation plan to NHDES that proposes measures to be taken to eradicate nuisance species.
17. Only native plant species shall be used to revegetate the riverbank.
18. A Certified Wetlands Scientist or Qualified Professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of

construction shall be submitted to the NHDES Wetlands Bureau within 60 days of final site stabilization.

With Findings:
1. This is a Major Project per NH Administrative Rule Env-Wt 903.01(g)(1), as the project is a repair of a Tier 3 stream crossing.
2. The project comprises repair of an existing 36-foot wide, 232-foot long concrete box culvert.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03. Impacts to the river channel have been minimized., The applicant has indicated that a more compliant crossing design is impracticable when compared to the cost of repair.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The project will not further degrade or improve hydraulic and geomorphic compatibility and aquatic organism passage of the stream crossing, and is considered an alternative design per 904.09, and is approved on the basis of practicability.
5. The Town of Woodstock Conservation Commission, the abutters, and the public provided no comments regarding the project.
6. In a review letter dated September 27, 2019, the NH Department of Transportation Cultural Resources program stated that "no historic properties will be affected.".
7. In a review letter dated May 30, 2019, the NH Natural Heritage Bureau (NHB) reported no recorded occurrences of sensitive species in the vicinity of the proposed project. According to the NH Fish and Game Departments Wildlife Action Plan, the reaches of Eastman Brook immediately upstream and downstream of the crossing are among the highest ranked wildlife habitat in NH.

MINOR IMPACT PROJECT
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2018-03432 **THE TIMBERS LLC**

MANCHESTER Unnamed Wetland

Requested Action:

Dredge and fill an additional 566 square feet (SF) of forested wetland and 316 SF of emergent wetlands for access to a proposed 160-unit townhouse development (The Timbers).

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Conservation Commission/Staff Comments:
11/27/18 per ConCom, "The Commission requests that DES not make a desicion on the application
until it has received and acknowledges receipt of a written report from the Commission, or until 40 days from the date of filing with Mancester
City Clerk, whichever occurs earlier.
12/10/18 ConCom voted that it had no objecction to the application. Accordingly, the Commission
withdraws its request that the Dept. delay it's consideraton of the application.

APPROVE AMENDMENT
Dredge and fill 6,748 square feet (SF) of forested wetlands and 316 SF of emergent wetlands for access to a proposed 160-unit townhouse development (The Timbers).

With Conditions:
1. All work shall be in accordance with revised (#3) Wetland Application Plans prepared for The Timbers, South Mammoth Road (Map 797 Lots 4, 5 & 9) dated January 21, 2020 as received by the Department on January 22, 2020.
2. This permit is not valid unless an Alteration of Terrain permit or other method of compliance with RSA 485-A:17 and Env-Wq 1500 is achieved.
3. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved permit conditions, approved plans and narratives, adequate siltation

and erosion controls are properly implemented, and no water quality violations occur.
4. A post-construction report, prepared by a Certified Wetland Scientist or Qualified Professional, as applicable, documenting status of the project area in accordance with permit conditions, including photographs, shall be submitted to the NHDES Wetlands Program within 60 days of the completion of construction. NHDES Wetlands Program may require subsequent monitoring and corrective measures if NHDES deemed the area inadequately stabilized or restored.
5. Wetland boundaries shall be field demarcated prior to any construction activities. There shall be no encroachment beyond the permitted impact areas including for installation of erosion controls.
6. The use of welded plastic or 'biodegradable plastic' erosion control netting should be avoided at the work site. Any slope stabilizing materials must be free from plastic or other non-biodegradable materials that create a mesh that can impact wildlife. Coco matting and other natural fibers are acceptable.
7. If invasive species are to be disturbed during proposed work they shall be managed in accordance with New Hampshire Department of Transportation Best Management Practices for Roadside Invasive Plants (2008) Prior to construction activities. If fruiting structures are present extra care should be taken to prevent spreading of seeds and or fruit.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place until the area is stabilized. No machinery shall enter the water.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Topsoil in wetlands shall be stripped and segregated from subsoil during construction. Wetland topsoil shall be stockpiled separately from subsoil and shall be restored following backfill.
11. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers' specifications.
12. Temporary erosion controls must be removed immediately following project area stabilization.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
14. The Contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
17. Faulty equipment shall be repaired prior to entering jurisdictional areas.
18. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
19. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:
1. This is a Minor impact project per Env-Wq 303.03(h) Projects involving less than 20,000 square feet of alteration in non tidal wetlands, non tidal surface waters, or banks adjacent to non tidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The existing property is three lots, consisting of a total of 26.6 acres. Lot 797-3A and Lot 797-4 are located on South Mammoth Road with 2.68 acres and 8.23 acres respectively. The third lot is 797-9 located to the south of Lot 797-4 and contains 14.28 acres in Manchester and 1.31 acres in Londonderry. Wetland impacts are proposed for access to the development of 160-unit townhouses and a clubhouse/office building. The lots will be merged for the development.
3. There are six wetlands identified within the project site. Impacts are proposed to a portion of two wetlands which are classified as palustrine needle-leaved evergreen, seasonally ponded or saturated (PFO4E).
4. A permit amendment request was received by the Department on January 27, 2020 to impact 315 square feet of emergent wetlands to install a gravity sewer connection to the Manchester municipal sewer and to provide a driveway access to Tax Map 797, Lot 8. Additionally, the project proposes to retain 566 square feet of wetland impacts in an area identified as being filled in the early 1980s. The applicant understands that any additional work on this project will require a final resolution to the historic impacts and any additional impacts to wetlands on tax map 797, Lot 8.
5. The wetland impacts were determined to be necessary for the project design due to the road frontage located at the low point on the front portion of the project and all stormwater must be treated on-site before discharging the site, Wetland 1 is sited in the center of the property frontage, and the existing infrastructure along the road including existing driveways to commercial properties, fire hydrants and 3-phase power limit the location of the road. There are 445 square feet of wetland proposed to be impacted for grading adjacent (west) to the access road site entrance. The agent has identified that if the wetland was left intact it would be isolated from the remainder of the wetland and would not receive hydrology from the surrounding area. It is anticipated that the wetland would be a small isolated area that would not function as a wetland any longer.

6. Alternatives include reduction from 200 to 160 proposed residential units. The project engineer has identified that as part of the design of the site and location of the access road. The change in elevation with the moderate to steep grades on the site needed to be reduced to meet the City of Manchester design requirements and secondly, the location of two active commercial drives on the opposite side of South Mammoth Road. A traffic impact assessment was prepared for the project which identified the chosen impact location in order to avoid safe separation distance based on traffic volumes, posted speed limits, and conflicting alignment with existing commercial driveway entrances. The applicant has provided two other Alternative Access plans. The original submittal of the central location of the driveway had sidewalks on both sides of the road. In reviewing the design for this type of development with NHDES, the agent has eliminated one sidewalk resulting in the reduction of Wetland Impact #1 from 5,724 square feet to 4,843 square feet.
7. The project wetland scientist has performed a Wetlands Narrative for the project and determined that the primary function of these wetlands is sediment and toxicant retention. Wetland 1 has a principal function of groundwater recharge/discharge. The principal function of Wetland 2 also includes nutrient removal and production export.
8. The project design includes the creation of 1,300 square feet of wetland area to be located to the east side of the existing wetland along South Mammoth Road. The wetland construction is designed to offset the impacts to the impacted wetland areas with the goals of this mitigation to offset some of the natural flood storage and water quality function. The vegetation was selected to provide production export by using plants that will produce seeds and berries for songbirds in the area.
9. The NH Natural Heritage Bureau has reviewed the proposed construction of 160-unit residential townhouse development (NHB18-3378). A previous DataCheck had also been performed (NHB17-0795) dated March 27, 2017.The NHB DataCheck results letters identified the New England Cottontail (Sylvilagus transitionalis). The New Hampshire Fish & Game New England Cottontail Biologist reviewed the proposal and determined the proposed construction should not directly impact the New England Cottontail per email to agent dated November 16, 2018. The NHFG has required avoiding the use of welded plastic or 'biodegradable plastic' netting or thread in erosion control matting as there is high quality wildlife habitat adjacent to the site. A condition restricting use of 'plastic' netting erosion control matting has been included.
10. The New Hampshire Division of Historical resources has reviewed the proposed project and determined there are no historic properties affected per response dated April 7, 2017.
11. The Manchester Conservation Commission has reviewed the proposed project and voted that it had no objection to the application per letter dated December 6, 2018. The Commission had previously requested a hold of the Department decision per RSA 482-A:11, III and accordingly has withdrawn the request to delay decision of the application.
12. The project plans have been stamped by a New Hampshire Certified Wetlands Scientist and a New Hampshire Licensed Land Surveyor.

2019-00692 **CITY OF ROCHESTER**

ROCHESTER

Requested Action:

Amend permit to temporarily impact an additional 1,780 square feet of palustrine forested and scrub-shrub wetland in order to install a municipal water main.

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Conservation Commission/Staff Comments:
03/12/19 per Con Com, "The Commission does not oppose this application, but does ask that NH DES consider requiring that the work occur during the dry season, as much as possible.

APPROVE AMENDMENT
Dredge and fill 25 square feet of palustrine scrub-shrub wetland and temporarily impact 11,150 square feet of palustrine forested and scrub-shrub wetland in order to install 4,800 linear feet of ductile iron water main to bring water to residents on Shaw Drive.

With Conditions:
1. All work shall be in accordance with plans by Wright-Pierce dated February 2019, and revised through January 2020, last received by the New Hampshire Department of Environmental Services (NHDES) on January 10, 2020.
2. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Bureau (Stefanie.giallongo@des.nh.gov) and the local conservation commission in writing of the date on which work under this permit is expected to start.

3. If any work associated with the project authorized by this permit will encroach on an abutter's property, then prior to starting work the permittee shall (1) obtain temporary construction easements or other written agreements from the owner of the abutting property, and (2) submit a copy of each agreement to the NHDES Wetlands Bureau.
4. Work shall be conducted during annual low flow conditions and in the dry only. No excavation shall be done in flowing water. No construction equipment shall be operated in flowing water.
5. All in-stream work shall be conducted in dry conditions and in a manner that will not cause or contribute to any violations of surface water quality standards in RSA 485-A or New Hampshire Administrative Rules Env-Wq 1700.
6. Prior to construction, all wetland and surface water boundaries adjacent to construction areas shall be clearly marked to prevent unintentional encroachment on adjacent wetlands and surface waters.
7. Topsoil in wetlands shall be stripped and segregated from subsoil during deconstruction. Wetland topsoil shall be stockpiled separately from subsoil and shall be restored following backfill.
8. A certified wetlands or soil scientist shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur.
9. A follow-up report including photographs of all stages of construction shall be submitted to the NHDES Wetlands Bureau within 60 days of final site stabilization.
10. Excavation and backfilling of the trench in wetland areas shall be done under the on-site supervision of the wetland or soil scientist monitoring the project. At the direction of the qualified professional, soil horizons shall be segregated appropriately in order to preserve natural soil horizons upon backfilling the trench.
11. To prevent the introduction or export of invasive plant species to or from the site, the permittee's contractor(s) shall clean all soils and vegetation from equipment and timber matting before it is moved to and from the site.
12. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).
13. No person shall collect, transport, import, export, move, buy, sell, distribute, propagate or transplant any living and viable portion of any plant, which includes all of their cultivars and varieties listed in Table 3800.1 of the New Hampshire prohibited invasive species list (Agr 3802.01).
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
15. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3-inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
17. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
18. Erosion control products shall be installed per manufacturers recommended specifications.
19. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
20. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.

With Findings:
1. This is a Minor Project per New Hampshire Administrative Rule Env-Wt 303.03(h), alteration of less than 20,000 square feet of non-tidal wetlands.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per New Hampshire Administrative Rule Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in New Hampshire Administrative Rule Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
4. Excavation and backfilling of the trench in wetland areas will be overseen by a certified wetland or soil scientist in order to preserve natural soil horizons.
5. In correspondence dated March 07, 2019, the Rochester Conservation Commission expressed support of the project, as proposed, provided that work is conducted during the dry season to further minimize impact.
6. The Natural Heritage Bureau (NHB) report submitted with the application package (NHB19-0191) stated that although there was a record in the vicinity, there are no impacts to sensitive species expected as a result of the proposed project.
7. In correspondence dated January 30, 2019, the NH Division of Historical Resources found that no historic properties would be affected by the project, as proposed.
8. Signed authorization has been obtained from abutting property owners on who's property the project will directly impact. In accordance with New Hampshire Administrative Rule Env-Wt 501.01(e), abutter notification shall not be required for projects located within utility rights-of-way.
9. No comments of concern were received by NHDES from abutters or local governing organizations.

10. In correspondence dated January 09, 2020, the permittee requested an amendment to the original permit. An additional 1,780 square feet of temporary impact was found by the contractor to be needed for construction access, temporary stockpiling and installation of the water main.
11. In accordance with RSA 482-A:3 XIV (e), the additional impact does not represent a significant amendment and is not expected to have an adverse impact on the environment so it is therefore approved.

2019-02672 **PINE RIVER TRUST**

WAKEFIELD PINE RIVER POND

Requested Action:

Relocate a 3-slip "U" shaped docking structure consisting of two 4 foot x 20 foot seasonal piers connected by a 4 foot x 10 foot seasonal walkway, to be accessed by 4 foot wide steps in the bank, install a second set of 4 foot wide steps to the water, and place rip-rap along 24 linear feet of shoreline on an average of 324feet of frontage along Pine River Pond in Wakefield.

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APPROVE PERMIT
Relocate a 3-slip "U" shaped docking structure consisting of two 4 foot x 20 foot seasonal piers connected by a 4 foot x 10 foot seasonal walkway, to be accessed by 4 foot wide steps in the bank, install a second set of 4 foot wide steps to the water, and place rip-rap along 24 linear feet of shoreline on an average of 324feet of frontage along Pine River Pond in Wakefield.

With Conditions:
1. All work shall be in accordance with revised plans by Scott Bailey dated January 13, 2020, as received by NHDES on January 13, 2020.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. This permit does not authorize the removal of trees, saplings, or ground cover vegetation within the waterfront buffer.
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
10. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
11. No portion of the piers shall extend more than 20 feet from the shoreline at full lake elevation (Elev. 582.35).
12. All seasonal structures shall be removed for the non-boating season.
13. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
14. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
15. Rip-rap shall be located landward of the shoreline at the normal high water, and shall not extend more than 2 feet lakeward of that line at any point.
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(m) projects that disturb less than 50 linear feet, measured along the shoreline, of a lake or pond or its bank.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2019-02761 **BINES, HARVEY/JOAN**

RYE ATLANTIC OCEAN

Requested Action:

Impact a total of 6,112 square feet of previously-developed 100-foot tidal buffer zone (TBZ) to remove and regrade 3,317 square feet of accumulated beach sand along 85 linear feet of seawall to provide better exposure of the seawall to protect the property from ocean waves. The sand will be pulled back from the seawall and regraded along the dry sand portion of the beach landward of mean high tide along this frontage. Approximately 2,795 square feet of TBZ will be temporarily impacted for machinery access.

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APPROVE PERMIT
Impact a total of 6,112 square feet of previously-developed 100-foot tidal buffer zone (TBZ) to remove and regrade 3,317 square feet of accumulated beach sand along 85 linear feet of seawall to provide better exposure of the seawall to protect the property from ocean waves. The sand will be pulled back from the seawall and regraded along the dry sand portion of the beach landward of mean high tide along this frontage. Approximately 2,795 square feet of TBZ will be temporarily impacted for machinery access.

With Conditions:
1. All work shall be in accordance with 'Wetlands Permit Plan' dated August 23, 2019 by MSC a division of TFMoran, Inc. as received by the NH Department of Environmental Services Wetlands Bureau (NHDES) on September 4, 2019.
2. Not less than 5 state business days prior to starting work authorized by this permit, the permitted shall notify the NHDES and the Rye Conservation Commission in writing of the date on which work under this permit is expected to start.
3. Work authorized under this permit may be implemented annually following written notification to NHDES and the Town of Rye.
4. Permission to use the right-of-way for access/egress to the site shall be granted in writing by the Town of Rye Board of Selectmen prior to the commencement of work.
5. Access to the work area shall be through the beach access right-of-way north of the subject location via E Street.
6. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
7. Work shall be done during low tide only.
8. Sand removed from the face of the seawall shall be regraded on the remaining dry sand area of the beach landward of mean high tide.
9. The sand removed from the face of the seawall shall be graded to match existing beach contours.
10. No sand shall be removed from the beach for disposal elsewhere.
11. Wood, seaweed, or other accumulated debris may be removed from the beach and disposed of outside of any area within NHDES jurisdiction.
12. Any beach grass or sand dune vegetation impacted by trucks or the excavator traveling through the right-of-way area shall be restored or replaced immediately following the excavator leaving the beach.
13. A York Rake or similar device shall be used to regrade the beach contours to the original conditions and eliminate all the excavator tracks on the beach and ROW immediately upon completion of the project.
14. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
15. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.

16. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.

With Findings:
1. This is a minor impact project per Administrative Rule Env-Wt 303.03(a) Projects in any bank, flat, marsh, or swamp or in and adjacent to any waters of the state or within 100 feet of the highest observable tide line that do not meet any of the criteria of Env-Wt 303.02, Env-Wt 303.04 or Env-Wt 303.05.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) and (c) Requirements for Application Evaluation, has been considered in the design of the project.
4. In accordance with Env-Wt 304.04(a) the applicant received written concurrence from the abutters whose properties are within 20-feet of the proposed impacts.
5. The application included NH Natural Heritage Bureau (NHB) Datacheck Results Letter NHB19-2072 stating, "It was determined that, although there was a NHB record [...] present in the vicinity, we do not expect that it will be impacted by the proposed project."
6. The NH Division of Historical Resources reviewed the project location and found 'No Historic Properties Affected.'
7. No comments were received from the Rye Conservation Commission on the application.

2019-03406 **CEDAR STUMP LLC**
DRYKI LLC

CONWAY Unnamed T

Requested Action:

Dredge and fill 1,675 square feet (SF) within the bed and bank of two unnamed intermittent streams (Tier 1, impacting 111 linear feet (LF)) to replace an existing 1.5 foot diameter, 14 foot long culvert with a 5 foot diameter, 66 foot long culvert, and install a new 1.25 foot diameter, 50 foot long culvert. In addition, temporarily impact 1,245 SF within the bed and bank of two unnamed intermittent streams (Tier 1, impacting 80 LF) for access and sedimentation and erosion control during construction.

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Conservation Commission/Staff Comments:
No ConComm comments as of 12/18/2019.

APPROVE PERMIT
Dredge and fill 1,675 square feet (SF) within the bed and bank of two unnamed intermittent streams (Tier 1, impacting 111 linear feet (LF)) to replace an existing 1.5 foot diameter, 14 foot long culvert with a 5 foot diameter, 66 foot long culvert, and install a new 1.25 foot diameter, 50 foot long culvert. In addition, temporarily impact 1,245 SF within the bed and bank of two unnamed intermittent streams (Tier 1, impacting 80 LF) for access and sedimentation and erosion control during construction.

With Conditions:
1. All work shall be in accordance with plans by Horizons Engineering, Inc. dated October 23, 2019 and revised in February, 2020, received electronically by the NHDES on February 6, 2020.
2. Not less than five (5) state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Bureau and the local conservation commission in writing of the date on which work under this permit is expected to start.
3. Work within the stream, inclusive of work associated with installation of a siltation controls, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events. All in-stream work shall be conducted in a manner that will not cause or contribute to any violations of surface water quality standards in RSA 485-A or NH Code Admin. Rules Env-Wq 1700.
4. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction,

and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized. Erosion control products shall be installed per manufacturers recommended specifications.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A.
8. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation should be replanted with seedlings of like native species and seeded with a conservation mix and mulched within three (3) days of the completion of the disturbance.
9. No machinery shall enter the water.
10. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
11. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
12. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
13. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
14. The turbidity controls shall be entirely removed within 2 days after work within the controls is completed and water has returned to normal clarity.
15. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Common Reed. The contractor responsible for work shall appropriately address invasive species in accordance with the NH Department of Transportation Best Management Practices for Roadside Invasive Plants (2008).
16. To prevent the introduction of invasive plant species to the site, the permittee's contractor(s) shall clean all soils and vegetation from construction equipment and matting before such equipment is moved to the site. Restoration shall not be considered successful if sites are invaded by nuisance species during the first full growing season following the completion of construction. The permittee shall submit a remediation plan to NHDES that proposes measures to be taken to eradicate nuisance species.
17. Only native plant species shall be used to revegetate the riverbank.
18. A Certified Wetlands Scientist or Qualified Professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the NHDES Wetlands Bureau within 60 days of final site stabilization.

With Findings:
1. This is a Minor Project per NH Administrative Rule Env-Wt 303.03(h), as the project involves less than 20,000 square feet of alteration in non-tidal wetlands and surface waters, and Env-Wt 303.03(l), as the project alters the course of or disturbs between 50 and less than 200 LF of intermittent stream channel.
2. The project comprises replacement of an existing 1.5 foot diameter, 14 foot long culvert with a 5 foot diameter, 66 foot long culvert, and installation of a new 1.25 foot diameter, 50 foot long culvert. The crossings are components of an improved access road to a commercial quarry which provides safer and more efficient access.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03 as they will only impact the stream channel and bank to the degree necessary. The proposed permanent impacts were reduced by 40% during the application process, by narrowing the access road by 2 feet at each crossing.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The project meets Rule Env-Wt 904.01 criteria to the greatest degree practicable.
5. The Town of Conway Conservation Commission, the abutters, and the public provided no comments regarding the project.
6. In a review letter dated August 1, 2019, the NH Natural Heritage Bureau (NHB) stated that there recorded occurrences of sensitive species in the vicinity of the proposed project, but concluded "we do not expect that it will be impacted by the proposed project."

2019-03658 **KING, CHRISTOPHER/LIZA**

WAKEFIELD GREAT EAST LAKE

Requested Action:

Impact 900 square feet of lakebed and bank in order to remove 17 cubic yards of 6 - 9 inch diameter rip-rap along 76 linear feet of shoreline, replace with not more than 20 cubic yards of 12 - 18 inch boulders keyed into the shoreline to support the existing vegetated bank, and construct an 18 foot x 10 foot perched beach with 4 foot wide steps to the water on an average of 100 feet of frontage along Great East Lake in Wakefield.

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APPROVE PERMIT
Impact 900 square feet of lakebed and bank in order to remove 17 cubic yards of 6 - 9 inch diameter rip-rap along 76 linear feet of shoreline, replace with not more than 20 cubic yards of 12 - 18 inch boulders keyed into the shoreline to support the existing vegetated bank, and construct an 18 foot x 10 foot perched beach with 4 foot wide steps to the water on an average of 100 feet of frontage along Great East Lake in Wakefield.

With Conditions:
1. All work shall be in accordance with plans by Terrain Planning & Design, LLC dated September 3, 2019, and revised through February 4, 2020, as received by NHDES on February 4, 2020.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. This permit does not authorize the removal of trees, saplings, or ground covers from within the waterfront buffer.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. All undersized rip-rapped removed, excavated material, and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
7. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Stone placed along the beach front for the purpose of retaining sand shall be placed above and landward of the normal high water line (Elevation 573.26).
9. The steps installed for access to the water shall be located completely landward of the normal high water line.
10. No more than 10 cubic yards of sand shall be used and all sand shall be located above the normal high water line.
11. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
13. Trees, shrubs and ground covers representing present prior to construction shall be replanted, if temporarily removed, immediately above the stone keyed into the shoreline.
14. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
15. Work shall be done during low flow and in the dry only.
16. Rip-rap shall be located landward of the shoreline at the normal high water, and shall not extend more than 2 feet lakeward of that line at any point .

With Findings:
1. This is a minor impact project per Administrative Rule Env-Wt 303.03(a), projects that fail to meet the criteria of any projects under Rule Env-Wt 303.02, Rule Env-Wt 303.04, or Rule Env-Wt 303.05.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2019-03914 **RYE HARBOR REALTY LLC**

RAYMOND

Requested Action:

Dredge and fill 3,856 square feet of forested wetland for lot development for commercial development with associated parking.

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APPROVE PERMIT
Dredge and fill 3,856 square feet of forested wetland for lot development for commercial development with associated parking.

With Conditions:
1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc. dated 8/26/19 and revised through 12/10/19 as received by the NH Department of Environmental Services Wetlands Bureau (NHDES) on December 13, 2019.
2. This permit is not valid unless subdivision and septic system construction approvals have been issued in accordance with RSA 485-A:29-44 and Env-Wq 1000.
3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.
4. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
5. Work shall be done during seasonal low flow conditions.
6. The use of welded plastic or 'biodegradable plastic' netting or thread in erosion control matting shall not be allowed. Several 'wildlife friendly' options such as woven organic material (e.g., coco matting) are commercially available.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
9. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
11. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
12. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
13. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
14. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:
1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
4. The application included NH Natural Heritage Bureau (NHB) Datacheck Results Letter NHB19-3086 stating, "It was determined that, although there was a NHB record [...] present in the vicinity , we do not expect that it will be impacted by the proposed project."
5. A letter from the Raymond Conservation Commission dated January 13, 2020 states, "[t]he Raymond Conservation Commission has no concerns regarding the wetland application as submitted..."

6. The NH Division of Historical Resources reviewed the project location and found 'No Historic Properties Affected.'

MINIMUM IMPACT PROJECT
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2019-03276 **STRATTON, RUSSELL**

LOUDON Unnamed Wetland

Requested Action:

Dredge and fill 286 square feet of palustrine forested and scrub-shrub wetland in order to replace a failed stone culvert with two 12-inch diameter by 15-foot-long culverts in order to construct an 8-foot-wide driveway for access to a proposed residential property.

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APPROVE PERMIT
Dredge and fill 286 square feet of palustrine forested and scrub-shrub wetland in order to replace a failed stone culvert with two 12-inch diameter by 15-foot-long culverts in order to construct an 8-foot-wide driveway for access to a proposed residential property.

With Conditions:
1. All work shall be in accordance with plans by Jeffrey L. Green Land Surveying Services, dated September 23, 2019, as received by the NH Department of Environmental Services (NHDES) on January 07, 2020.
2. Per Town of Loudon Conservation Commission recommendations, the culverts shall be set at an elevation such that the water level of the existing impoundment is maintained.
3. This permit is not valid unless a septic system construction approval or other compliance with RSA 485-A:29-44 and Env-Wq 1000 is achieved.
4. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Bureau and the local conservation commission in writing of the date on which work under this permit is expected to start.
5. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
6. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
7. Work shall be done during low flow and in dry conditions.
8. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
10. Erosion control products shall be installed per manufacturers recommended specifications.
11. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
12. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
13. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
15. Any fill used shall be clean sand, gravel, rock, or other suitable material.
16. Proper headwalls shall be constructed within seven days of culvert installation.
17. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
18. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times

during construction, and shall train each operator in the use of the kits.
19. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
20. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
21. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
22. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3-inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:
1. This project is classified as a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(f) as this project involves less than 3,000 square feet of impact to a palustrine swamp.
2. This project involves the replacement of an existing, failed stone culvert on an abandoned woods road with a set of twin 12-inch diameter culverts in order to provide access to a proposed residence.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03 as the wetlands bisect the property and cannot be avoided, the project utilizes the narrowest band of wetlands available on an existing, abandoned woods road to access the buildable portion of the site, will use culverts to maintain hydraulic connectivity, and the culverts will be installed at an elevation that maintains the water level of the existing impoundment.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. In a review letter dated October 07, 2019, and received by NHDES on January 07, 2020, the Natural Heritage Bureau (NHB) stated that there was no record of a sensitive species located in the vicinity of the project.
6. In email correspondence dated February 04, 2020, the NHB confirmed that the findings of the originally issued NHB report dated October 07, 2020, were valid for a standard application.
7. In an email dated December 23, 2019, the applicant requested an extension agreement until January 15, 2019, to allow additional time for the applicant to provide a response to the Request for More Information letter dated October 24, 2019. The extension agreement was signed by the authorized agent and returned to NHDES on December 23, 2019.
8. In an email dated January 06, 2020, the Loudon Conservation Commission expressed their concerns that the proposed crossing would drain the existing wetland impoundment and that work had already begun at the site and the impoundment had been drained.
9. In a phone conversation and follow-up email dated February 04, 2020, the agent informed NHDES Staff that the unauthorized work that the Loudon Conservation Commission observed was due to a miscommunication with the applicant and contractor, that the unauthorized work had ceased, that the pre-construction water level of the impoundment had been clearly identified on site with stakes to inform construction crews of the invert elevations for the proposed culverts.
10. Town of Loudon Conservation Commission recommendations were included as conditions in the permit to ensure that the water level of the existing impoundment is maintained.
11. NHDES finds that by ceasing the initiation of unauthorized work and the inclusion of recommended permit conditions, the applicant has fully addressed the concerns of the Loudon Conservation Commission.
12. As of February 04, 2020, no comments of concern have been received by NHDES from abutters.

2019-03869 **BUTTERICK VILLAGE CONDO ASSN**

LONDONDERRY

Requested Action:

Temporarily impact 400 square feet of palustrine emergent wetland within an existing man-made detention basin for installing a sewer utility crossing.

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APPROVE PERMIT
Temporarily impact 400 square feet of palustrine emergent wetland within an existing man-made detention basin for installing a sewer utility crossing.

With Conditions:
1. All work shall be in accordance with plans by Stantec Consulting Services, Inc. dated December 2019, as received by the NH Department of Environmental Services (NHDES) on December 12, 2019.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Erosion control products shall be installed per manufacturers recommended specifications.
5. The use of welded plastic or 'biodegradable plastic' erosion control netting should be avoided at the work site. Any slope stabilizing materials must be free from plastic or other non-biodegradable materials that create a mesh that can trap wildlife. Coco matting and other natural fibers are acceptable.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
8. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
10. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction.
11. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Area of temporary wetland impact shall be regraded to original contours and properly restored following completion of work.
14. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers' specifications.
15. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:
1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(f), as wetland impacts are less than 3,000 square feet.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
4. In a memo dated December 06, 2019, the NH Natural Heritage Bureau (NHB) reviewed the proposed project and found that although there was a NHB record in the vicinity, they do not expect that it will be impacted by the project.

X-TRAILS NOTIFICATION
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2018-02882 **TOWN OF EPPING**

EPPING Unnamed Stream

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X-EMERGENCY AUTHORIZATION
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2019-01414 **NH BUREAU OF RAIL & TRANSIT**
CONWAY SCENIC RAILROAD

CARROLL

Requested Action:

Dredge and fill a total of approximately 2,103 square feet of bank and surface water to repair and stabilize an existing 3.5 foot x 6 foot stone box culvert and install a new 36 inch overflow culvert.

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CONFIRM EMERGENCY AUTHORIZATION
Dredge and fill a total of approximately 2,103 square feet of bank and surface water to repair and stabilize an existing 3.5 foot x 6 foot stone box culvert and install a new 36 inch overflow culvert.

SHORELAND STANDARD
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2017-01037 **HESS, JAMIESON**

NEW LONDON PLEASANT LAKE

Requested Action:

Impact 9,981 square feet (SF) of protected shoreland in order to add a deck and attached garage to the existing primary structure, renovate an accessory structure within the waterfront buffer, and relocate an existing detached garage. Revisions include, realignment and enlargement of the attached garage, enlargement and relocation of detached garage with greenhouse, and expansion of existing driveway.

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APPROVE AMENDMENT
Impact 9,981 square feet (SF) of protected shoreland in order to add a deck and attached garage to the existing primary structure, renovate an accessory structure within the waterfront buffer, and relocate an existing detached garage. Revisions include, realignment and enlargement of the attached garage, enlargement and relocation of detached garage with greenhouse, and expansion of existing driveway.

With Conditions:
1. All work shall be in accordance with revised plans by Pierre J. Bedard and Associates dated January 22, 2020 and received by the NH Department of Environmental Services (DES) on January 27, 2020.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 15.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Native vegetation within an area of at least 9,578 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

9. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. No change in footprint, height, or added plumbing shall be allowed to the existing accessory structure located within the waterfront buffer.
11. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
12. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2020-00025 **UNGUREANU, GABRIEL**

HOLLIS NASHUA RIVER

Requested Action:

Impact 28,442 square feet of protected shoreland in order to construct a primary structure with a deck attached garage, driveway, 2 walkways, install a pool, landscaping, and install a septic system.

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APPROVE PERMIT
Impact 28,442 square feet of protected shoreland in order to construct a primary structure with a deck attached garage, driveway, 2 walkways, install a pool, landscaping, and install a septic system.

With Conditions:
1. All work shall be in accordance with plans by Meridian Land Services dated December 19, 2019 as revised and received by the NH Department of Environmental Services (NHDES) on January 30, 2020.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 19.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 6,169 square feet within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
13. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that

any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2020-00087 HYDE, LOREN/PETER

HOLDERNESS SQUAM LAKE

Requested Action:

Impact 11,000 square feet of protected shoreland in order to remove existing garage #1 and shed #1. Reconstruct the existing residence #1 in the same footprint located within 50' of the shoreline. Expand the footprint of the residence beyond the 50' shoreline setback. A permeable patio will be constructed along the east side of the residence, and a permeable walkway will be installed between the residence and dock. The driveway footprint will be reduced, and the exposed soil will be vegetated.

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APPROVE PERMIT
Impact 11,000 square feet of protected shoreland in order to remove existing garage #1 and shed #1. Reconstruct the existing residence #1 in the same footprint located within 50' of the shoreline. Expand the footprint of the residence beyond the 50' shoreline setback. A permeable patio will be constructed along the east side of the residence, and a permeable walkway will be installed between the residence and dock. The driveway footprint will be reduced, and the exposed soil will be vegetated.

With Conditions:
1. All work shall be in accordance with plans by Ames Associates dated January 6, 2020 and received by the NH Department of Environmental Services (DES) on January 17, 2020.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 24.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Native vegetation within an area of at least 7,096 square feet within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The proposed (stormwater management structures) shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. Photographs documenting the construction of the proposed (stormwater management structures) shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
12. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.

16. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2020-00088 **BRUEHLMANN, RYAN**

GILFORD LAKE WINNIPESAUKEE

Requested Action:

Impact 2,691 square feet of protected shoreland in order to replace a deck with a pervious materials, construct 2 additional patios, replace steps to the dock, construct 2 sets of steps, install infiltration drains along the primary structure and attached garage, and landscaping.

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APPROVE PERMIT
Impact 2,691 square feet of protected shoreland in order to replace a deck with a pervious materials, construct 2 additional patios, replace steps to the dock, construct 2 sets of steps, install infiltration drains along the primary structure and attached garage, and landscaping.

With Conditions:
1. All work shall be in accordance with plans by NH Environmental Consultants, LLC dated December 4, 2019 and received by the NH Department of Environmental Services (NHDES) on January 16, 2020.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 22.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Native vegetation within an area of at least 3,557 square feet within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The proposed infiltration drains shall be installed and maintained to effectively absorb and infiltrate stormwater.
10. Photographs documenting the construction of the proposed infiltration drains shall be submitted to the Department within 30 days of the completion of construction.
11. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
15. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2020-00091 **HOLIAN, KERI/MATTHEW**

MOULTONBOROUGH SQUAM LAKE

Requested Action:

Impact 4,722 square feet of protected shoreland in order to install a granite landing, stone steps, and walkway on the west side of structure and a cobblestone entrance, granite landing, and native gardens on the east side of structure.

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APPROVE PERMIT
Impact 4,722 square feet of protected shoreland in order to install a granite landing, stone steps, and walkway on the west side of structure and a cobblestone entrance, granite landing, and native gardens on the east side of structure.

With Conditions:
1. All work shall be in accordance with plans by New Hampshire Environmental Consultants, LLC dated December 30, 2019 and received by the NH Department of Environmental Services (DES) on January 17, 2020.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 17% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Native vegetation within an area of at least 3,886 square feet within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2020-00111 MORSS, ELIZABETH/STEPHEN

HOLDERNESS SQUAM LAKE

Requested Action:

Impact 26,288 square feet of protected Shoreland in order to remove a primary structure and return to vegetation to construct a primary structure with a front porch, a terrace, 2 decks, pathways, and retaining walls, realign driveway with a parking area, and install a septic system.

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APPROVE PERMIT
Impact 26,288 square feet of protected Shoreland in order to remove a primary structure and return to vegetation to construct a primary structure with a front porch, a terrace, 2 decks, pathways, and retaining walls, realign driveway with a parking area, and install a septic system.

With Conditions:
1. All work shall be in accordance with plans by New Hampshire Environmental Consultants, LLC dated January 2, 2020 as revised on January 30, 2020 and received by the NH Department of Environmental Services (NHDES) on January 31, 2020.
2. The proposed foundation shall not be constructed until any approval as may be required under RSA 485-A and Rules Env-Wq 1000 is obtained from NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 15.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 9,360 square feet within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
13. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2020-00121

BEAVER LAKE FAMILY TRUST

DERRY BEAVER LAKE

Requested Action:

Impact 2,481 square feet of protected shoreland in order to raze existing primary structure and rebuild a new primary structure further from the reference line with an addition on the south side of structure and a deck on the north side.

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APPROVE PERMIT
Impact 2,481 square feet of protected shoreland in order to raze existing primary structure and rebuild a new primary structure further from the reference line with an addition on the south side of structure and a deck on the north side.

With Conditions:
1. All work shall be in accordance with plans by Sandford Surveying and Engineering dated January 9, 2020 and received by the NH Department of Environmental Services (DES) on January 23, 2020.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 12.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless

additional approval is obtained from DES.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2020-00123 **MARSHALL, DAWN/JAMES**

ALEXANDRIA NEWFOUND LAKE

Requested Action:

Impact 4,320 square feet of protected shoreland in order to construct a paved driveway.

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APPROVE PERMIT
Impact 4,320 square feet of protected shoreland in order to construct a paved driveway.

With Conditions:
1. All work shall be in accordance with plans by Central Land Surveying Inc. dated December 4, 2019 and received by the NH Department of Environmental Services (DES) on January 23, 2020.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 19.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Native vegetation within an area of at least 936 square feet within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V. (b). (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2020-00129 **LASSEY, BRAD/SARAH**

SUNAPEE MOUNTAIN VIEW LAKE

Requested Action:

Impact 1,675 square feet of protected shoreland in order to demolish the non-conforming primary structure to construct a more nearly conforming primary structure with stormwater management and landscaping.

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APPROVE PERMIT
Impact 1,675 square feet of protected shoreland in order to demolish the non-conforming primary structure to construct a more nearly conforming primary structure with stormwater management and landscaping.

With Conditions:
1. All work shall be in accordance with plans by Greenline Property Services, LLC dated December 30, 2019 and received by the NH Department of Environmental Services (NHDES) on January 24, 2020.
2. The proposed foundation shall not be constructed until any approval as may be required under RSA 485-A and Rules Env-Wq 1000 is obtained from NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 26.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The proposed stone drip edges with collection piping to dry well shall be installed and maintained to effectively absorb and infiltrate stormwater.
10. Photographs documenting the construction of the proposed stone drip edges with collection piping to dry well shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
14. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2020-00134 **PERRY, MARK**

DUNBARTON GORHAM POND

Requested Action:

Impact 2,820 square feet of protected shoreland in order to demolish existing primary structure and rebuild a new structure with an additional 590 square feet of space.

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APPROVE PERMIT
Impact 2,820 square feet of protected shoreland in order to demolish existing primary structure and rebuild a new structure with an additional 590 square feet of space.

With Conditions:
1. All work shall be in accordance with plans by S & H Land Services dated December 20, 2019 and received by the NH Department of Environmental Services (DES) on January 27, 2020.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 29% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. The proposed (stormwater management structures) shall be installed and maintained to effectively absorb and infiltrate stormwater.
9. Photographs documenting the construction of the proposed (stormwater management structures) shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
13. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

FORESTRY SPN
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2020-00122 **SIRKIN, SUSANNAH**

ACWORTH Unnamed Stream

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COMPLETE NOTIFICATION
ACWORTH, TAX MAP# 201; LOT# 145

2020-00127 **SANBORN, ROBERT**

AUBURN Unnamed Stream

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COMPLETE NOTIFICATION
AUBURN; TAX MAP# 11; LOT# 19

2020-00180 **NELSON, DIANA**

PETERBOROUGH Unnamed Stream

****

COMPLETE NOTIFICATION
PETERBOROUGH; TAX MAP# R002; LOT# 007

2020-00181 **BAYROOT LLC**

ATK GIL GRANT Unnamed Stream

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COMPLETE NOTIFICATION
ATK GIL GRANT; TAX MAP# 1628; LOT# 2

2020-00188 **KILBOURN REALTY TRUST**

SANDWICH Unnamed Stream

****

COMPLETE NOTIFICATION
SANDWICH; TAX MAP# 11; LOT# 34

2020-00200 **MITCHELL, ABIGAIL**

CANTERBURY Unnamed Stream

****

COMPLETE NOTIFICATION
CANTERBURY; TAX MAP# 221; LOT# 16

WETLAND PBN
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2020-00191 **HOLTON, CYNTHIA/PETER**

CHESTERFIELD SPOFFORD LAKE

Requested Action:

Temporarily impact 165 square feet of bank in order to relocate water access steps and construct a retaining wall on frontage on Spofford Lake in Chesterfield.

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PBN DISQUALIFIED
Temporarily impact 165 square feet of bank in order to relocate water access steps and construct a retaining wall on frontage on Spofford Lake in Chesterfield.

With Findings:
1. The applicant requested the conversion of an existing water access stairs to a retaining wall and construction of a set of new water access stairs construct lakeward of an existing retaining wall. Conversion of stairs to a retaining wall and construction of new permanent water access steps is not specified under Env-Wt 309.05, Availability of Permit-by-Notification (PBN), therefore the notification has been rejected.